



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 30

**CREATING THE ENERGY INVESTMENT COORDINATING COUNCIL
IN ORDER TO STREAMLINE THE REGULATORY PROCEDURES
AFFECTING ENERGY PROJECTS**

WHEREAS, pursuant to Section 9 Article II of the 1987 Philippine Constitution, the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all;

WHEREAS, Section 2 of Republic Act (RA) No. 9136 or the Electric Power Industry Reform Act of 2001 states that it is the declared policy of the State to ensure and accelerate the total electrification of the country; to ensure the quality, reliability, security and affordability of the supply of electric power; and to assure socially and environmentally compatible energy sources and infrastructure;

WHEREAS, RA 7638 or the Department of Energy (DOE) Act of 1992 created the DOE to prepare, integrate, coordinate, supervise, and control all plans, programs, projects, and activities of the Government relative to energy exploration, development, utilization, distribution, and conservation;

WHEREAS, Section 23 of RA 7638 mandates all government agencies, with functions relative to the approval of the projects of the DOE, to immediately act upon and resolve such matters pertaining to these projects upon the request of DOE;

WHEREAS, the Philippine Energy Plan (PEP) was crafted to mainstream access of the larger populace to reliable and affordable energy services to fuel, most importantly, local productivity and countryside development;

WHEREAS, it is a priority of the government to streamline its processes to ensure effective and timely implementation of projects to guarantee the immediate delivery of adequate and reliable government services;

WHEREAS, Section 17, Article VII of the 1987 Philippine Constitution states that the President shall have control of all the executive departments, bureaus, and offices, and shall ensure that the laws be faithfully executed;

WHEREAS, Section 4, Article X of the 1987 Philippine Constitution states that the President shall exercise general supervision over local governments;

WHEREAS, there is an urgent need to construct additional power plants to provide sufficient available electricity capacity of the appropriate power plant category to accelerate and promote rapid economic growth in an open and competitive power market environment;

NOW, THEREFORE I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Declaration of Policy. It is the policy of the State to ensure a continuous, adequate and economic supply of energy. Hence, an efficient and effective administrative process for energy projects of national significance should be developed in order to avoid unnecessary delays in the implementation of the Philippine Energy Plan (PEP).

SECTION 2. Energy Projects of National Significance (EPNS). EPNS are major energy projects for power generation, transmission and/or ancillary services including those required to maintain grid stability and security, identified and endorsed by the DOE as "projects of national significance" that are in consonance with the policy thrusts and specific goals of the PEP, and which possess any of the following attributes:

- a) significant capital investment of at least ₱3.5 Billion;
- b) significant contribution to the country's economic development;
- c) significant consequential economic impact;
- d) significant potential contribution to the country's balance of payments;
- e) significant impact on the environment;
- f) complex technical processes and engineering designs; and/or
- g) significant infrastructure requirements.

SECTION 3. Energy Investment Coordinating Council (EICC). There is hereby created an EICC that will spearhead and coordinate national government efforts to harmonize, integrate and streamline regulatory processes, requirements and forms relevant to the development of energy investments in the country, primarily with regard to EPNS, to uphold transparency and accountability among concerned agencies.

SECTION 4. Composition. The EICC shall be chaired by a representative from the DOE and shall be composed of representatives from the following agencies as members:

- a) Department of the Environment and Natural Resources (DENR)
 - a.1) Biodiversity Management Bureau
 - a.2) Environmental Management Bureau
 - a.3) Forest Management Bureau
 - a.4) Land Management Bureau
- b) National Electrification Administration
- c) National Grid Corporation of the Philippines
- d) National Power Corporation
- e) National Transmission Corporation
- f) Department of Finance

- f.1) Bureau of Customs
- f.2) Bureau of Internal Revenue
- g) Department of Justice
 - g.1) Bureau of Immigration
- h) Department of Transportation
 - h.1) Civil Aviation Authority of the Philippines
 - h.2) Marine Industry Authority
 - h.3) Philippine Coast Guard
 - h.4) Philippine Ports Authority
- i) Housing and Land Use Regulatory Board
- j) Palawan Council for Sustainable Development
- k) Other agencies and government instrumentalities whose participation in the EICC may be deemed necessary by the Council to attain the objectives of this Order.

SECTION 5. Functions. The EICC shall convene within thirty (30) days from the effectivity of this Order and exercise the following functions:

- a) Establish a simplified approval process, and harmonize the relevant rules and regulations of all government agencies involved in obtaining permits and regulatory approvals, to expedite the development and implementation of EPNS and other energy projects;
- b) Prepare rules governing the resolution of inter-agency issues affecting the timely and efficient implementation of EPNS and other energy projects;
- c) Maintain a database of information and a web-based monitoring system which shall be the vehicle for information exchange on the updates on the applications of EPNS and other energy projects;
- d) Create inter-agency subcommittees as may be necessary to fulfill its mandate;
- e) Submit a quarterly progress report to the Office of the President; and
- f) Perform such other functions as may be necessary and incidental to attain the objectives of this Order.

SECTION 6. Secretariat. The EICC shall be supported by a Secretariat to be headed by the DOE with representatives from the other member agencies as may be needed, with the following functions:

- a) Provide the necessary administrative and technical support to aid the EICC in fulfilling its functions;
- b) Serve as the repository of all documents and data of the EICC;
- c) Monitor the status of the processing of all energy applications using the web-based monitoring system; and
- d) Perform such other tasks and functions delegated by the EICC.

SECTION 7. Baselines in the Processing of EPNS. The rules, regulations and processes to be agreed upon within the EICC and to be adopted by its member-agencies shall adhere to the following baselines with regard to EPNS:

- a) **Presumption of Prior Approvals.** Government agencies and instrumentalities that receive an application for a permit involving

EPNS shall process such applications without awaiting the action of any other agency. The processing agency shall act on the presumption that the relevant permits from other government agencies had already been issued.

- b) **Action within Thirty (30) Days.** Government agencies and instrumentalities shall act upon applications for permits involving EPNS within a specified processing timeframe not exceeding thirty (30) days from the submission of complete documentary requirements. Should such application be denied, the denial should be made in writing, expressly providing the grounds therefor. If no decision is made within the specified processing timeframe, the approving authority may no longer deny the application and shall issue the relevant permit within five (5) working days after the lapse of such processing timeframe.

No deviation from the baselines shall be allowed except when absolutely necessary either to enable an agency to comply with a specific statutory directive or to avoid prejudicing the public interest. All regulations and procedures taken up in the EICC which deviate from such baselines, and the justifications therefor, shall be included in the reports of the EICC to the Office of the President.

SECTION 8. Environmental Compliance Certificates (ECCs) for EPNS.

The procedures for the issuance of ECCs which may be required for EPNS shall be among the matters to be discussed within the EICC. In light of such discussions, the DENR shall formulate guidelines on the issuance of such ECCs consistent with the objectives and provisions of this Order including, in particular, the baselines stated in Section 7 hereof. Such guidelines shall be submitted to the Office of the President for approval within sixty (60) days from the effectivity of this Order.

SECTION 9. Cooperation of other Agencies. The EICC may call upon any agency or instrumentality of the Government for such assistance as may be necessary in the performance of its functions. Local government units are enjoined to adopt policies and procedures consistent with this Order, with respect to the processing of permits involving EPNS.

SECTION 10. Funding. The funds to support the initial operations of the EICC shall be sourced from the DOE, subject to applicable budgetary rules and regulations. Thereafter, appropriations for the implementation of this Order shall be incorporated in the regular budget of the DOE.

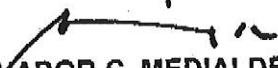
SECTION 11. Repeal. All executive orders, proclamations, rules, regulations, previous issuances or parts thereof, inconsistent with the provisions of this Order are hereby repealed, amended or modified accordingly.

SECTION 12. Separability. If any section or part of this Executive Order is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force or effect.

SECTION 13. Effectivity. This Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE in the City of Manila, this 28th day of **June**, in the year of our Lord, Two Thousand and Seventeen.

By the President:


SALVADOR C. MEDIALDEA
Executive Secretary

